

3-1603.

~~A INSTEAD OF BRINGING A WRONGFUL DEATH ACTION UNDER SUBTITLE 9 OF THIS TITLE AGAINST A PERSON DESCRIBED IN § 3-1602 OF THIS SUBTITLE, A CIVIL ACTION FOR DAMAGES FOR THE DEATH OF AN INDIVIDUAL CAUSED BY THE INDIVIDUAL'S USE OF A CONTROLLED DANGEROUS SUBSTANCE MAY BE BROUGHT UNDER THIS SUBTITLE BY ANYONE WHO IS INJURED FROM THE USE OF A CONTROLLED DANGEROUS SUBSTANCE BY AN INDIVIDUAL, INCLUDING:~~

~~(1) A PARENT, LEGAL GUARDIAN, CHILD, SPOUSE, OR SIBLING OF THE INDIVIDUAL USER OF THE CONTROLLED DANGEROUS SUBSTANCE;~~

~~(2) AN INDIVIDUAL WHO WAS EXPOSED TO A CONTROLLED DANGEROUS SUBSTANCE IN UTERO;~~

~~(3) AN EMPLOYER OF AN INDIVIDUAL USER OF A CONTROLLED DANGEROUS SUBSTANCE;~~

~~(4) A MEDICAL FACILITY, INSURER, GOVERNMENTAL UNIT, EMPLOYER, OR OTHER ENTITY THAT FUNDS A DRUG TREATMENT PROGRAM OR EMPLOYEE ASSISTANCE PROGRAM FOR THE INDIVIDUAL USER OF A CONTROLLED DANGEROUS SUBSTANCE OR THAT OTHERWISE SPENT MONEY ON BEHALF OF THE INDIVIDUAL USER OF A CONTROLLED DANGEROUS SUBSTANCE, AND~~

~~(5) THE INDIVIDUAL USER OF THE CONTROLLED DANGEROUS SUBSTANCE, IF:~~

~~(I) THE INDIVIDUAL PERSONALLY DISCLOSED TO LAW ENFORCEMENT OFFICERS MORE THAN 6 MONTHS BEFORE FILING THE ACTION ALL THE INFORMATION KNOWN TO THE INDIVIDUAL REGARDING THE SOURCE OF THE CONTROLLED DANGEROUS SUBSTANCE;~~

~~(II) THE INDIVIDUAL DID NOT USE A CONTROLLED DANGEROUS SUBSTANCE WITHIN THE 6 MONTHS BEFORE FILING THE ACTION; AND~~

~~(III) THE INDIVIDUAL REMAINS FREE OF THE USE OF A CONTROLLED DANGEROUS SUBSTANCE THROUGHOUT THE PENDENCY OF THE ACTION.~~

3-1604.

A PERSON ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE MAY SEEK DAMAGES FROM A DEFENDANT WHO MANUFACTURED, DISTRIBUTED, DISPENSED, OR BROUGHT INTO OR TRANSPORTED IN THE STATE:

~~(1) THE CONTROLLED DANGEROUS SUBSTANCE THAT WAS ACTUALLY USED BY THE INDIVIDUAL USER; OR~~

~~(2) A CONTROLLED DANGEROUS SUBSTANCE OF THE SAME TYPE THAT WAS USED BY THE INDIVIDUAL USER, IF THE DEFENDANT'S ACTION OCCURRED AT THE SAME TIME AND IN THE SAME COUNTY IN WHICH THE USE OCCURRED DESCRIBED IN § 3-1602 OF THIS SUBTITLE IF THE CONTROLLED DANGEROUS SUBSTANCE MANUFACTURED, DISTRIBUTED, DISPENSED, BROUGHT INTO, OR~~